

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JUXTACOMM TECHNOLOGIES, INC.

PLAINTIFF,

v.

(1) ASCENTIAL SOFTWARE
CORPORATION,

DEFENDANTS.

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Civil Action No. 2:07-CV-00359-LED

**ORDER GRANTING JOINT MOTION FOR LEAVE TO EXTEND
THE TIME TO FILE CERTAIN SURREPLY BRIEFING**

Came on for consideration, Plaintiff JuxtaComm Technologies, Inc. and Defendants Ascential Software Corporation, International Business Machines Corporation and Microsoft Corporation's (collectively, "the Parties") *Joint Motion for Leave to Exceed Page Limit and to Extend the Time to File Certain Surreply Briefing*. The Court having considered said motion is of the opinion that same should be GRANTED.

IT IS, THEREFORE, ORDERED that the deadline for filing the surreply briefing to the following reply briefs shall be extended from September 28, 2009 to September 30, 2009:

(a) *JuxtaComm's Reply to Defendants' Joint Opposition to JuxtaComm's Motion for Partial Summary Judgment on their Defense under 28 U.S.C. § 1498(a)* (Docket No. 709);

(b) *IBM's Reply in Support of its Motions for Summary Judgment* (to the extent it concerns No Infringement by Equivalents and No Literal Infringement) (Docket No. 711);

(c) *Plaintiff's Reply in Support of its Motion for Partial Summary Judgment on Defendants' Equitable Defenses* (Docket No. 714);

(d) *Microsoft's Reply in Support of its Motion for Summary Judgment of No Infringement* (Docket No. 716); and

(e) *Microsoft Corp.'s Reply in Support of its Motion for Summary Judgment of Non-Infringement Under the Doctrine of Equivalents* (Docket No. 717).

So ORDERED and SIGNED this 28th day of September, 2009.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE